

**COMMONWEALTH OF PUERTO RICO
COURT OF FIRST INSTANCE
SAN JUAN SUPERIOR COURT**

**BLANCA IRIS MARRERO-ROSARIO
PLAINTIFF,**

V.

**COMMONWEALTH OF PUERTO
RICO; PUERTO RICO
DEPARTMENT OF JUSTICE; HON.
DOMINGO EMANUELLI IN HIS
OFFICIAL CAPACITY AS
SECRETARY OF JUSTICE; PUERTO
RICO POLICE BUREAU; PUERTO
RICO PUBLIC BUILDINGS
AUTHORITY; DEPARTMENT OF
PUBLIC SAFETY; MAPFRE
INSURANCE AGENCY OF PUERTO
RICO, INC.; COMPANIES A, B, C,
AND D; INSURANCE COMPANIES X,
W, Y, and Z.**

DEFENDANTS.

CIVIL NO.: SJ2022CV00013

RE:

DAMAGES; CIVIL ACTION

AMENDED COMPLAINT

TO THIS HONORABLE COURT:

COMES NOW Plaintiff, **BLANCA IRIS MARRERO-ROSARIO**, through the undersigned counsels, and very respectfully **STATES, ALLEGES, AND PRAYS:**

I. JURISDICTION AND VENUE

1. This Honorable Court has jurisdiction to hear this action pursuant to Rule 3.1 of the Rules of Civil Procedure.

2. This Honorable Court has venue to hear the above-captioned Complaint pursuant to Rule 3.4 of the Rules of Civil Procedure.

II. THE PARTIES

3. Plaintiff Blanca Iris Marrero-Rosario resides at Calle 1 A22, Urb. Villa El Salvador, San Juan, Puerto Rico 00921; Phone: 787.810.5487; Email: bimarrero@hotmail.com.

4. Defendant Commonwealth of Puerto Rico is a political entity with the capacity to sue and be sued in this civil action. It is represented by law by the Department of Justice, through the Honorable Secretary of Justice. The Commonwealth of

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Puerto Rico is jointly liable for its fault and negligence with regard to the events giving rise to this Complaint.

5. The Department of Justice is a Department of the Commonwealth of Puerto Rico and has a mandate, through the Secretary of Justice, to represent the Commonwealth of Puerto Rico, its Departments and Public Corporations in this civil action.
6. Defendant Hon. Domingo Emanuelli is the Secretary of Justice, leads the Department of Justice, and represents the Commonwealth of Puerto Rico, its Departments and Public Corporations in his official capacity in this civil action.
7. Defendant Puerto Rico Department of Public Safety is a Department of the Commonwealth of Puerto Rico with headquarters at 235 Ave. Arterial Hostos, Capital Center, Torre Norte, San Juan, PR 00918. Phone: 787.903.5602. This is the umbrella entity covering the Puerto Rico Police Bureau. The Department of Public Safety is jointly liable for its fault and negligence with regard to the events giving rise to this Complaint.
8. Defendant Puerto Rico Police Bureau is an entity under defendant Puerto Rico Department of Public Safety, headquartered in the Puerto Rico Police Department Building located at 601 Franklin Delano Roosevelt Ave., San Juan PR 00936. Phone: 787.793.1234. This is where the events giving rise to this Complaint took place. The Puerto Rico Police Bureau is jointly liable for its fault and negligence with regard to the events giving rise to this Complaint.
9. The Puerto Rico Public Building Authority is a public corporation of the Commonwealth of Puerto Rico and, based on reasonable belief, it is the owner of the building and the lot where the events giving rise to this Complaint took place. The Puerto Rico Public Building Authority is jointly liable for its fault and negligence with regard to the events giving rise to this Complaint.
10. Defendant MAPFRE Insurance Agency of Puerto Rico, Inc. is the insurance company of defendants Commonwealth of Puerto Rico, Puerto Rico Department of Public Safety, Puerto Rico Police Bureau, and Puerto Rico Public Buildings Authority, and its coverage and joint liability with the other codefendants extend to the events giving rise to this Complaint. Its address is:

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

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297 Teniente César Luis González Ave., San Juan, 00918; Phone:
787.250.5200.

III. THE FACTS

11. Mrs. Blanca Iris Marrero-Rosario is an honorably retired Puerto Rico Police Department officer and provided services as an independent contractor for the Puerto Rico Police Department until March 19, 2021.
12. On March 19, 2021, as Mrs. Marrero-Rosario left work as an independent contractor for the Puerto Rico Police Department in the building located at 601 Franklin Delano Roosevelt Ave., San Juan, Puerto Rico 00936, around noon, she suffered a severe fall on the sidewalk adjacent to the building located at the aforementioned address. This was due the unevenness of said sidewalk.
13. As a result of the fall, Mrs. Marrero-Rosario sustained several injuries, including, but not limited to, bruises, skin wounds, ligament and bone injuries, and other external and internal injuries on her hands, arms, and legs, which required immediate medical attention.
14. In fact, Mrs. Marrero-Rosario is currently receiving medical treatment for the aforementioned injuries, which continue to cause her severe pain and inability to continue working for the Puerto Rico Police Department as she had done until the day of the events.
15. As a result of the injuries sustained, Mrs. Marrero-Rosario has been [unable] to continue working, against her will, as an independent contractor for the Puerto Rico Police Department, an institution for which she feels deep admiration and affection after having dedicated her professional career and her productive life to said agency. This has adversely affected her income.
16. Mrs. Marrero-Rosario had also been working as an UBER driver for the past four (4) years and, as a result of the injuries sustained, she has also been unable to provide this service, with the corresponding loss of income. This has caused her to fall into a depression, in addition to the severe injuries

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sustained, which continue to affect her to this day, and for which she continues to receive medical treatment to this day.

17. After Mrs. Marrero-Rosario's fall, some signs were installed in the area alerting the public of the situation. In fact, our client was notified that several persons had been involved in accidents in that area, without any kind of measures being taken to prevent similar unfortunate incidents.
18. Defendant MAPFRE Insurance Agency of Puerto Rico, Inc., as insurer of the Codefendants, is jointly liable for the damages sought herein.
19. The Commonwealth of Puerto Rico, the Puerto Rico Department of Public Safety, and the Puerto Rico Police Bureau are jointly liable for their fault and negligence with regard to the events giving rise to this Complaint.
20. The Puerto Rico Public Buildings Authority, as owner of the building and the lot where the events that give rise to this Complaint took place, is jointly liable for its fault and negligence by allowing and failing to repair the dangerous conditions that caused the injuries outlined herein.
21. Unknown companies A, B, C, and D, as owners of the building and the lot where the events giving rise to this Complaint took place, are jointly liable for their fault and negligence by allowing and failing to repair the dangerous conditions that caused the injuries outlined herein.
22. Unknown Insurance Companies X, W, Y, and Z, cover the damages claimed herein and are, therefore, jointly liable for said damages.
23. The aforementioned Codefendants are jointly liable to Plaintiff for their fault and negligence regarding their negligent acts and omissions that give rise to this Complaint.
24. The Department of Justice and Honorable Secretary of Justice Domingo Emanuelli, in his official capacity, are brought as legal representatives of the Commonwealth of Puerto Rico and its Departments and Public Corporations.

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25. The damages suffered by Plaintiff are estimated at no less than \$300,000.00 in this civil action, in addition to any costs, accrued interests, and attorney's fees.

IN WITNESS WHEREOF, we hereby very respectfully request that this Honorable Court Rule in Favor of the Complaint and, consequently, order all defendants to jointly pay Plaintiff the total amount of no less than \$300,000.00, in addition to any interest accrued from the arising of the causes of action, plus costs and reasonable attorney's fees, along with any other decision that this Honorable Court may issue in favor of Plaintiff.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this 7th day of February of 2022.

ESTUDIO LEGAL F. VAN DERDYS
PO Box 9021888
San Juan, Puerto Rico 00902-1888
Phone. 787-519-2211/Fax 787.765.4225

Signed/Fernando Van Derdys
Fernando Van Derdys
Attorney Registry No. 7842
fvanderdys@gmail.com

I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

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